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| 29989 7590 06/11/2010 HICKMAN PALERMO TRUONG & BECKER, LLP 2055 GATEWAY PLACE SUITE 550 SAN JOSE, CA 95110 | | | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/691,994

Applicant(s)

POTTER ET AL.

Examiner

HUSSEIN A. EL CHANTI

Art Unit

2457

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 April 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-16 and 18-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-16 and 18-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to RCE received on April 28, 2010. Claims 1-4, 6-16 and 18-30 are pending examination.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 11-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. The elements of claim 11: "means for generating" and "means for forwarding" are means (or step) plus function limitation that invokes 35 U.S.C. 112, sixth paragraph. However, the written description fails to disclose the corresponding structure, material, or acts for the claimed function in the specification of the application.

Applicant is required to:

- (a) Amend the claim so that the claim limitation will no longer be a means (or step) plus function limitation under 35 U.S.C. 112, sixth paragraph; or
- (b) Amend the written description of the specification such that it expressly recites what structure, material, or acts perform the claimed function without introducing any new matter (35 U.S.C. 132(a)).

If applicant is of the opinion that the written description of the specification already implicitly or inherently discloses the corresponding structure, material, or acts so

that one of ordinary skill in the art would recognize what structure, material, or acts perform the claimed function, applicant is required to clarify the record by either:

(a) Amending the written description of the specification such that it expressly recites the corresponding structure, material, or acts for performing the claimed function and clearly links or associates the structure, material, or acts to the claimed function, without introducing any new matter (35 U.S.C. 132(a)); or

(b) Stating on the record what the corresponding structure, material, or acts, which are implicitly or inherently set forth in the written description of the specification, perform the claimed function. For more information, see 37 CFR 1.75(d) and MPEP §§ 608.01(o) and 2181.

4. Claim 17 recites in the preamble "a network device comprising", the body of the claim does not contain any limitations indicating the structure of the device. A system or an apparatus claim should always claim the structure or the hardware that performs the function. Applicant's claimed limitations consist of modules (software according to the specification) that do not describe the structure of the device. Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 13-16 and 18 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 13 recites in the preamble "a network device comprising." The body of claim 13 recites "a network interface" which is software according to the disclosure of the application. Therefore claims 13-16 and 18 are non-statutory because it is directed towards software, per se, lacking storage on a medium, which enables any underlying functionality to occur. It is not clear whether instructions are in executable form and therefore there is no practical application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-4, 6-16 and 18-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pfwiltzner, U.S. Patent No. 7,506,069 in view of Amin et al., U.S. Patent No. 6,854,014 (referred to hereafter as Amin).

As to claim 1, Pfwiltzner teaches a method of providing access to services across a computer network, comprising the step of:

generating an access request by a requesting network access device through which an end user device can obtain access to network resources, said access request comprising a requesting network access device description "computing environment information" and a plurality of service requests indicative of computer services "meeting"

for which the network device requests provisioning (see col. 10 lines 36-41, lines 44-53, end user sends a request to access a meeting using a URL);

wherein the requesting network access device description includes one or more of: a requesting network access device vendor, a requesting network access device type, a requesting network access device version (see col. 11 lines 28-37, the request includes device information such as the type of device); and

forwarding said access request for authentication and authorization (see col. 10 lines 56-col. 11 lines 3, the access request is forwarded to the server that is hosting the meeting) and for reconfiguring the access-control server by storing a dependence between the request and the requesting network access device (see col. 11 lines 56-col. 12 lines 13 and col. 7 lines 8-col. 8 lines 34, the business objects are restructured based on the type of the requesting device and the relationship between the requesting address and the type of device are stored in a table for future reference).

Pfwltzner does not explicitly teach that the access request is an authentication, authorization and access request. However, Amin teaches a system and method for generating authentication, authorization and access requests to obtain access to network resources (see Amin col. 14 lines 39-lines 66 and col. 18 lines 25-54).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to implement the use of aaa requests in Pfwltzner's system and method as taught by Amin. Motivation to do so comes from the knowledge well known in the art that using AAA requests is very widely and commonly used as admitted by the applicant (applicant's response pages 8-9) and that using AAA requests would authenticate the

identity of the user before granting access to network resources which would make the system and method more secure.

As to claim 6, Pfwltzner teaches a method according to Claim 1 in which the service requests include a request for a particular service level (see col. 14 lines 38-53, user may have different access levels based on whether user is author or not).

As to claim 7, Pfwltzner teaches a method according to Claim 1 in which a policy is applied to the access request to determine whether access will be allowed, and if so for what services (see col. 14 lines 38-53, identity of user is verified to determine whether access is allowed).

As to claim 8, Pfwltzner teaches a method according to Claim 1 in which network resources are provisioned in dependence upon the access request (see col. 14 lines 38-53).

As to claim 9, Amin teaches a method according to Claim 1 in which the steps of receiving and applying are performed by an access-control server or an Authentication, Authorization and Audit (AAA) server (see col. 14 lines 38-53, redirection server performs authentication).

As to claim 10, Pfwltzner teaches a method according to Claim 9 in which the access-control server uses the access request to select among multiple services that are specified for a particular device (see col. 13 lines 13-45, different versions and formats are selected based on the device type and user identity).

As to claim 11, Pfwltzner teaches a device for providing access to services across a computer network, comprising:

Means for generating an access request by a requesting network access device through which an end user device can obtain access to network resources, said access request comprising a requesting network access device description "computing environment information" and a plurality of service requests indicative of computer services "meeting" for which the network device requests provisioning (see col. 10 lines 36-41, lines 44-53, end user sends a request to access a meeting using a URL);

wherein the requesting network access device description includes one or more of: a requesting network access device vendor, a requesting network access device type, a requesting network access device version (see col. 11 lines 28-37, the request includes device information such as the type of device); and

means for forwarding said access request for authentication and authorization (see col. 10 lines 56-col. 11 lines 3, the access request is forwarded to the server that is hosting the meeting) and for reconfiguring the access-control server by storing a dependence between the request and the requesting network access device (see col. 11 lines 56-col. 12 lines 13 and col. 7 lines 8-col. 8 lines 34, the business objects are restructured based on the type of the requesting device and the relationship between the requesting address and the type of device are stored in a table for future reference).

Pfwltzner does not explicitly teach that the access request is an authentication, authorization and access request. However, Amin teaches a system and method for generating authentication, authorization and access requests to obtain access to network resources (see Amin col. 14 lines 39-lines 66 and col. 18 lines 25-54).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to implement the use of aaa requests in Pfwiltzner's system and method as taught by Amin. Motivation to do so comes from the knowledge well known in the art that using AAA requests is very widely and commonly used as admitted by the applicant (applicant's response pages 8-9) and that using AAA requests would authenticate the identity of the user before granting access to network resources which would make the system and method more secure.

As to claim 13, Pfwiltzner teaches a device for providing access to services across a computer network a network interface, comprising computer storage medium executing code to perform the steps comprising:

generating an access request by a requesting network access device through which an end user device can obtain access to network resources, said access request comprising a requesting network access device description "computing environment information" and a plurality of service requests indicative of computer services "meeting" for which the network device requests provisioning (see col. 10 lines 36-41, lines 44-53, end user sends a request to access a meeting using a URL);

wherein the requesting network access device description includes one or more of: a requesting network access device vendor, a requesting network access device type, a requesting network access device version (see col. 11 lines 28-37, the request includes device information such as the type of device); and

forwarding said access request for authentication and authorization (see col. 10 lines 56-col. 11 lines 3, the access request is forwarded to the server that is hosting the

meeting) and for reconfiguring the access-control server by storing a dependence between the request and the requesting network access device (see col. 11 lines 56-col. 12 lines 13 and col. 7 lines 8-col. 8 lines 34, the business objects are restructured based on the type of the requesting device and the relationship between the requesting address and the type of device are stored in a table for future reference).

Pfwltzner does not explicitly teach that the access request is an authentication, authorization and access request. However, Amin teaches a system and method for generating authentication, authorization and access requests to obtain access to network resources (see Amin col. 14 lines 39-lines 66 and col. 18 lines 25-54).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to implement the use of aaa requests in Pfwltzner's system and method as taught by Amin. Motivation to do so comes from the knowledge well known in the art that using AAA requests is very widely and commonly used as admitted by the applicant (applicant's response pages 8-9) and that using AAA requests would authenticate the identity of the user before granting access to network resources which would make the system and method more secure.

As to claim 18, Pfwltzner teaches a device according to Claim 13 in which the service requests include a request for a particular service level (see col. 14 lines 38-53, user may have different access levels based on whether user is author or not).

As to claims 19, Pfwltzner teaches a system for providing access to services across a computer network, comprising:

An access control server "redirector server" being arranged:

receive an access request by a requesting network access device through which an end user device can obtain access to network resources, said access request comprising a requesting network access device description "computing environment information" and a plurality of service requests indicative of computer services "meeting" for which the network device requests provisioning (see col. 10 lines 36-41, lines 44-53, end user sends a request to access a meeting using a URL);

wherein the requesting network access device description includes one or more of: a requesting network access device vendor, a requesting network access device type, a requesting network access device version (see col. 11 lines 28-37, the request includes device information such as the type of device); and

apply a policy to the access request to determine whether the access will be allowed, and if so for what services (see col. 10 lines 56-col. 11 lines 3, the access request is forwarded to the server that is hosting the meeting) and for reconfiguring the access-control server by storing a dependence between the request and the requesting network access device (see col. 11 lines 56-col. 12 lines 13 and col. 7 lines 8-col. 8 lines 34, the business objects are restructured based on the type of the requesting device and the relationship between the requesting address and the type of device are stored in a table for future reference).

Pfwtzner does not explicitly teach that the access request is an authentication, authorization and access request. However, Amin teaches a system and method for generating authentication, authorization and access requests to obtain access to network resources (see Amin col. 14 lines 39-lines 66 and col. 18 lines 25-54).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to implement the use of aaa requests in Pfwltzner's system and method as taught by Amin. Motivation to do so comes from the knowledge well known in the art that using AAA requests is very widely and commonly used as admitted by the applicant (applicant's response pages 8-9) and that using AAA requests would authenticate the identity of the user before granting access to network resources which would make the system and method more secure.

As to claim 20, Pfwltzner teaches a device according to Claim 19 in which the service requests include a request for a particular service level (see col. 14 lines 38-53, user may have different access levels based on whether user is author or not).

As to claim 21, Amin teaches a device according to Claim 19 in which the steps of receiving and applying are performed by an access-control server or an Authentication, Authorization and Audit (AAA) server (see col. 14 lines 38-53, redirection server performs authentication).

As to claim 22, Pfwltzner teaches a system according to Claim 19 in which the access-control server uses the access request to select among multiple services that are specified for a particular device (see col. 13 lines 13-45, different versions and formats are selected based on the device type and user identity).

As to claim 23, Pfwltzner teaches a storage medium executing code to perform steps, comprising the step of:

generating an access request by a requesting network access device through which an end user device can obtain access to network resources, said access request

comprising a requesting network access device description "computing environment information" and a plurality of service requests indicative of computer services "meeting" for which the network device requests provisioning (see col. 10 lines 36-41, lines 44-53, end user sends a request to access a meeting using a URL);

wherein the requesting network access device description includes one or more of: a requesting network access device vendor, a requesting network access device type, a requesting network access device version (see col. 11 lines 28-37, the request includes device information such as the type of device); and

forwarding said access request for authentication and authorization (see col. 10 lines 56-col. 11 lines 3, the access request is forwarded to the server that is hosting the meeting) and for reconfiguring the access-control server by storing a dependence between the request and the requesting network access device (see col. 11 lines 56-col. 12 lines 13 and col. 7 lines 8-col. 8 lines 34, the business objects are restructured based on the type of the requesting device and the relationship between the requesting address and the type of device are stored in a table for future reference).

Pfwltzner does not explicitly teach that the access request is an authentication, authorization and access request. However, Amin teaches a system and method for generating authentication, authorization and access requests to obtain access to network resources (see Amin col. 14 lines 39-lines 66 and col. 18 lines 25-54).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to implement the use of aaa requests in Pfwltzner's system and method as taught by Amin. Motivation to do so comes from the knowledge well known in the art

that using AAA requests is very widely and commonly used as admitted by the applicant (applicant's response pages 8-9) and that using AAA requests would authenticate the identity of the user before granting access to network resources which would make the system and method more secure.

As to claim 27, Pfwiltzner teaches a medium according to claim 23 wherein the requesting access device includes one or more of device type, vendor and version (see col. 11 lines 28-37)

As to claim 28, Pfwiltzner teaches a medium according to Claim 23 in which the service requests include a request for a particular service level (see col. 14 lines 38-53, user may have different access levels based on whether user is author or not).

As to claim 29, Pfwiltzner teaches a device according to Claim 11 or 13 comprising a requesting network access device which controls end user device access to a network, and which requests services on behalf of one or more said end users (see col. 14 lines 38-53, redirection server performs authentication).

As to claim 30, Pfwiltzner teaches a device according to claim 11 or 13 comprising a in which said requesting network access device requests services for its own use (see col. 14 lines 38-53).

As to claims 2, 4, 12, 14, 16, 24, 26, Pfwiltzner teaches a method, system, device and medium of providing access to services across a computer network, comprising the step of: generating an access request by a requesting network access device through which an end user device can obtain access to network resources, said access request comprising a requesting network access device description and a

plurality of service requests indicative of computer services for which the network device requests provisioning (see col. 9 lines 28-45, col. 4 lines 20-47, col. 10 lines 38-54).

Pfwltzner does not explicitly teach that the access request is a RADIUS access request. Anderson, however, teaches a system and method sending requests for accessing a resource wherein the request is a RADIUS request (see col. 10 lines 20-31).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to implement the use of RADIUS requests in Pfwltzner as taught by Anderson because doing so would make the method and system more secure.

As to claims 3, 15, 25, Pfwltzner teaches the service request contains a device type and a service request identifier "URL" (see col. 13 lines 13-59, access request includes a URL and device information).

7. Applicant's arguments have been fully considered but are moot in view of the new grounds of rejection.
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUSSEIN A. EL CHANTI whose telephone number is (571)272-3999. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hussein Elchanti/
Primary Patent Examiner

June 8, 2010